

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 99-CR-50026-2FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

JOHN FITZGERALD WILLIAMS,

Defendant.

ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on November 8, 2005, based upon a Petition and Warrant for violation of his conditions of supervised release, filed on November 2, 2005.

The Defendant is charged with violation of the Mandatory Condition by being charged with the offense of Disorderly Person and pleading guilty to that offense in the 68th. District Court on September 30, 2005. He is also charged with violation of Standard Conditions Number 7 by testing positive for the use of marijuana on 14 separate occasions since November 23, 2002. The Defendant was also arrested at his residence based upon a search warrant executed by the Flint Police Department in which a quantity of marijuana, cocaine, and drug paraphernalia were found. He is also charged with violation of Standard Condition Number 11 by failing to inform the Probation Department of his arrest.

The report of the Probation Officer in this matter indicates that the Defendant began his term of supervised release on November 8, 2002.

Based upon the information presented at the hearing, it appears that the Defendant has failed to comply with the terms of supervised release by being in the possession of illegal substances, and illegal drug paraphernalia. It further appears from the report of the Probation Officer that the Defendant has continued to use illegal drugs while under supervision. Based upon the foregoing information the Court finds that the Defendant poses a risk of danger to the community based upon his continued criminal activity and illegal drug use.

Accordingly, the Defendant shall be detained without bond in this matter pending further proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: November 9, 2005

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: Robert Haviland, AUSA, Mark C. Jones, AUSA, David Koelzer, Federal Defender Office, and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
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Flint, MI 48502
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